



Legislation Text

File #: 17-280, **Version:** 1

Adopt a resolution authorizing the purchase of the 148.62 acres of real property on American Canyon Road in Fairfield (APN 0180-050-020) from TDC Brown, LLC for \$1,486,200 which is within the parameters of funding available under the George Miller SAFETEA-LU high priority project funding grant; Authorize the Director of Resource Management to execute all documents necessary to complete the purchase; and Authorize an Appropriation Transfer Request for \$1,500,000 of federal funds through the Road Fund to cover the purchase costs of the property acquisition (4/5 vote required)

Published Notice Required? Yes ☒ No ☐
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board of Supervisors consider adopting a resolution:

1. Authorizing the purchase of the 148.62 acres of real property on American Canyon Road in Fairfield (APN 0180-050-020) from TDC Brown, LLC for \$1,486,200; and
2. Authorizing the Director of Resource Management to execute all documents necessary to complete the purchase

The department further recommends that the Board authorize an Appropriation Transfer Request (ATR) for \$1,500,000 of federal funds through the Road Fund to cover the purchase costs of the acquisition (4/5 vote required)

SUMMARY:

The Solano Land Trust was granted federal SAFETEA-LU funds for the acquisition of open space and entered into an agreement with Solano County to manage the project given the County's familiarity with delivering federal transportation projects. The parties signed the agreement on December 8, 2009 and began work to environmentally clear the project. In February of 2014 the project was environmentally cleared and received concurrence from US Fish and Wildlife.

On Tuesday, November 22, 2016, the Board authorized the Department of Resource Management to re-enter into negotiations for the acquisition of the 148.62 acres of real property on American Canyon Road in Fairfield (APN 0180-050-020) from TDC Brown, LLC. A purchase price of \$1,486,200 was negotiated and a Purchase and Sale Agreement (PSA) was executed by TDC Brown, LLC on March 27, 2017. The PSA includes a 30-day contingency period to conduct due diligence. The negotiated purchase price of \$1,486,200 (\$10,000/Acre) was derived from an appraisal report that was conducted by the County's consultant utilizing federal guidelines for property acquisition. The purchase price/appraised value reflects fair market value. Notice of today's public meeting to consider the acquisition was published in the Fairfield Daily Republic as required by Government Code sections 25350 and 6063. On behalf of the County of Solano, the Board of Supervisors is authorized to acquire real property under California Government Code section 25350 through the adoption of a Resolution. Adoption of the Resolution authorizing the purchase will allow the transaction to be consummated through the close of escrow. The Purchase and Sale Agreement is attached (A - Purchase and Sale Agreement).

FINANCIAL IMPACT:

The total cost of acquisition is \$1,486,200 plus an estimated \$13,800 in other small costs related to the transaction. This purchase is funded by federal High Priority Project Program (HPPP), and toll credits secured by the California Department of Transportation for 100% funding. Authorization of the ATR will allow the Department to utilize Road Fund for the purchase which will be reimbursed by the federal funds after invoicing Caltrans. There is no impact to the General Fund or Road Fund.

DISCUSSION:

The Department of Resource Management has been working on the Cordelia Hills Sky Valley Project, in partnership with the Solano Land Trust and the Solano Transportation Authority, for acquisition of open space and trail construction in the Cordelia Hills and Sky Valley area. A location map of the property in question for acquisition is attached (B - Location Map). In 2008, staff from the County and the Solano Land Trust worked together to define a concept for land acquisition and trail enhancement utilizing the federal fund allocation. In November of 2016, the County and the Solano Land Trust entered into an amended agreement for the Project, with the County acting as the lead administering agency. The amended agreement is attached (C - Agreement)

The current agreement established between the Solano Land Trust and the County has a focus on acquiring the parcel adjacent to Lynch Canyon (APN 0180-050-020, 148.6 acres) which has a willing seller. The property acquisition is within the original federal grant intent to enhance and upgrade the Cordelia Hills and Sky Valley pedestrian and bicycle corridors. Construction of a parking lot with a walking trail and footbridge will be completed after acquisition with funds from Solano Land Trust. Once construction of the trail is complete, and an easement for access is established, the Department will return to the Board at a future date to acquire an easement from Caltrans for access, obtain construction authorization for the trail and pedestrian improvements and finally for the transition the property to the Solano Land Trust per the Agreement.

ALTERNATIVES:

The Board may choose not to authorize the purchase and execution of all documents necessary to complete the purchase, nor authorize the appropriation transfer request for budgeting the purchase. This is not recommended, as acquisition fulfills the original objectives of the earmark.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed this item and approved it as to form. General Services, which is the primary Department dealing with property acquisitions has also reviewed the item and approved it as to form.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION